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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,279	01/21/2004	Bernard Grush	3914 0006	9840
27886	7590	05/31/2006	EXAMINER	
DEETH WILLIAMS WALL LLP 150 YORK STREET SUITE 400 TORONTO, M5H 3S5 CANADA			TRIEU, VAN THANH	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of Allowability	Application No.	Applicant(s)	
	10/760,279	GRUSH, BERNARD	
	Examiner	Art Unit	
	Van T. Trieu	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 21 February 2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>2/21/06</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>3/17/06 & 3/28/06</u> 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant authorizes for an Examiner's Amendment to correct the abbreviations of "RFID and/or DSRC" in the independent claim 1; and a lack of antecedent basis "the signal source" in the independent claims 1 and 20; and a new abstract to correct the phrase "said" therein.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with **Mr. Douglas N. Deeth**, Registration No. 28,773 on 17 March 2006 and **Mrs. Jennifer Jannauska** on 28 March 2006.

(A) The application has been amended as follows: the Abstract filed on 21 January 2004 contained the phrase "said". Therefore a new abstract is provided in a separate sheet herewith.

(B) In claim 1, line 8, after the abbreviations of "RFID" inserts --- (Radio Frequency Identification) ---; and after the "DSRC" inserts --- (Dedicated Short Range Communications) ---.

(C) In claim 1, lines 5, after the phrase "positioning signals" inserts ---- from a signal source ----.

(D) In claim 20, lines 6, after the phrase "for a vehicle" inserts --- from a signal source ---.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: there are no prior arts teaching or suggesting of a system for monitoring, measuring, and/or usage metering of a vehicle involving tracking continuous movement and position of the vehicle comprising:

an apparatus mounted on or in the vehicle, comprising: a receiver for receiving positioning signals; a motion detector for determining parking episodes of the vehicle to form a parking log; an RFID and/or DSRC element for determining entry and exit data based on movement of the vehicle into or out of gated areas; a processor for forming a continuous, time-marked position-log from the positioning signals having regard to the parking-log and the entry and exit data, the processor comprising a memory; a storage element for storing position-logs; and a two-way wireless telecommunication element, such as GPRS, to transmit position-logs;

a central processing system, in communication with the apparatus comprising: a central telecommunication element to demand, receive and acknowledge receipt of position-logs and system information from the apparatus; digital maps and databases for containing usage fees, premium rules, parking fees and schedules; a central processor to further process position-logs, calculate user fees and generate invoices, maps and data feeds; and a central storage element for storing the maps, databases, position-logs, and system information,

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wherein the position-log contains optimized positioning signals processed to correct for multi-path error when the vehicle is in either open or obscured line-of-sight from the signal source.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Mike Horabik** can be reached on (571) 272-3068.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long, sweeping horizontal stroke extending to the right.

Van Trieu
Primary Examiner
Date: 5/30/06

ABSTRACT (New)

A system and method for monitoring, measuring, and/or usage metering of a vehicle involving tracking continuous movement and position of the vehicle for priced parking spots, priced roads, and/or pay-as-you-drive insurance. The system comprises a vehicle-mounted apparatus incorporating positioning signal reception, filtering, compression, storage and wireless transmission, while a central processing system collects these position-logs for matching with digital maps and parking, road use, and insurance fee application schedules. Sufficient accuracy and precision enables billing of vehicle owners unambiguously, generating timely congestion and traffic maps, and providing real time data feeds to signal control and navigation systems. This invention may be used to meter parking, road use, or insurance, either alone or concurrently in combination.